

**REMARKS**

Claims 1 and 3-8 are pending. Support for the changes to claim 1 may be found in the specification as originally filed, for example, paragraphs [0003] and in [0083].

**I. The Double Patenting Rejection**

Claim 1 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 11/244,159.

Since this is a provisional rejection, Applicants postpone response until one of the instant application or the copending Application is in condition for allowance. See MPEP 804.I.B.

**II. The Rejections Based on Sakamaki ‘804**

Claims 1 and 3-6, are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Sakamaki U.S. Publication No. 2002/0008840.

Claims 7-8 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Sakamaki ‘804 in view of Takahashi U.S. Publication No. 2006/0262401.

Applicants respectfully submit that the present invention is not anticipated by or obvious over the disclosures of Sakamaki ‘804, alone or in view of Takahashi, and request that the Examiner reconsider and withdraw these rejections in view of the following remarks.

Conventionally, if a polymer film is stretched in the width direction continuously to produce a birefringent film, a bowing phenomenon, for example, may occur. Therefore, it is difficult to achieve uniformity in alignment axis, birefringence, and retardation by stretching the polymer film in the width direction (see paragraph [0004]) of Applicants' specification). Under the circumstances, it is difficult to produce a birefringent film that has excellent appearance while suppressing variations in birefringence, retardation, and alignment axis angle (see

paragraph [0006] of Applicants' specification).

The present invention includes the step of stretching a polymer film in such a manner that the polymer film is stretched in a width direction while being shrunk in a longitudinal direction. The direction of the slow axis of this birefringent film coincides with the stretching direction (width direction). With this step, it is possible to produce a birefringent film that unexpectedly has excellent appearance with variations in birefringence, retardation, and alignment axis angle being suppressed (see paragraph [0009] of Applicants' specification).

In the case where a birefringent film is used in a liquid crystal display together with a polarizing film, it is generally necessary to arrange the birefringent film and the polarizing film so that the slow axis of the birefringent film is parallel to the transmission axis of the polarizing film (see paragraph [0003] of Applicants' specification). Accordingly, when those films are arranged in the longitudinal direction so that the transmission axis and the slow axis are parallel to each other, the birefringent film and the polarizing film that have been respectively wound around rollers can be attached to each other continuously.

In general, the direction of the transmission axis of the polarizing film coincides with the direction perpendicular to the film stretching direction. When the birefringent film whose slow axis is in a direction that coincides with the stretching direction (width direction) and the polarizing film are arranged in the longitudinal direction, the transmission axis and the slow axis are parallel to each other. Thus, it becomes possible to attach the birefringent film and the polarizing film to each other continuously. In this manner, the method for producing a birefringent film whose slow axis is in a direction that coincides with the stretching direction

(width direction) brings about significant advantages in the production of the film.

On the other hand, the birefringent film of Sakamaki '804 has an alignment axis that is inclined with respect to the longitudinal direction. Thus, the slow axis of this birefringent film is not directed in the width direction (see paragraphs [0128] and [0140] of Sakamaki '804).

Therefore, the method for producing a birefringent film according to the present invention is novel over Sakamaki '804.

Further, it is impossible for the birefringent film of Sakamaki '804 to be arranged together with the polarizing film in the longitudinal direction and attached to the polarizing film continuously in the state where the transmission axis is parallel to the slow axis as described above.

Therefore, the present invention would be nonobvious over Sakamaki '804.

Further, the disclosures of Takahashi do not overcome the deficiencies in Sakamaki '804 discussed above. Therefore, even if the disclosures of Sakamaki '804 are combined with those of Takahashi, Applicants' claimed invention is not achieved.

For the above reasons, it is respectfully submitted that the subject matter of claims 1 and 3-8 is neither taught by nor made obvious from the disclosures of Sakamaki '804, alone or in view of Takahashi,, and it is requested that the rejections under 35 U.S.C. §§102 and 103(a) be reconsidered and withdrawn.

**III. Conclusion**

In view of the above, Applicants respectfully submit that their claimed invention is allowable and ask that the obviousness type double patenting rejection, the rejection under 35 U.S.C. §102 and the rejection under 35 U.S.C. §103 be reconsidered and withdrawn. Applicants respectfully submit that this case is in condition for allowance and allowance is respectfully solicited.

If any points remain at issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the local exchange number listed below.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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